



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HUASCAR DE LA ROSA,

Plaintiff,

-against-

JOHN DOE #1, DEA Agent Who Shot Plaintiff on :
December 20, 2005; Officer Amrani, New York :
Police Assigned to the Precinct 33, :

Defendants. :
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ORDER

07 Civ. 7577 (PKC)(KNF)

KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

Plaintiff Huascar De La Rosa ("De La Rosa"), who is incarcerated, commenced a civil rights action against the defendants on August 27, 2007. The United States Marshal for this judicial district was directed to serve the summons and complaint upon the defendants and, thus far, has been unable to do so because the full name of each defendant has not been provided by the plaintiff. According to the plaintiff, defendant Police Officer Amrani was employed by the New York City Police Department at the 33rd precinct, 2207 Amsterdam Avenue, New York, New York 10032, on December 20, 2005, the date of the incident which gives rise to the instant action. The plaintiff recalls that, on that date, he was assaulted by defendant Police Officer Amrani and, thereafter, was taken to Harlem Hospital and treated for injuries he received.

The plaintiff has requested that the Court assist him in identifying the defendants more precisely so that the United States Marshal can effect service on his behalf. See Valentin v. Dinkins, 121 F.3d 72 (2d Cir. 1997). Therefore, on or before June 9, 2008, Michael A. Cardozo, Corporation Counsel for the City of New York, although not representing the defendants, shall

use his good offices to obtain and furnish to the plaintiff information including, but not limited to, any pertinent New York City Police Department arrest report, roll call log or aided report prepared on or about December 20, 2005, that will assist the plaintiff in learning the full name, shield number and work location of the police officer defendant. The information shall be sent to Huascar De La Rosa, #53363-054, FCI-Butner, Medium I, P.O. Box 1000, Butner, North Carolina 27509, with a copy to the chambers of the undersigned magistrate judge. Thereafter:

1) De La Rosa shall file an amended complaint with the Pro Se Office for this judicial district expeditiously, which must include the actual name of any defendant whose identity is revealed fully through the information furnished by Mr. Cardozo, including any defendant who is now identified as "John Doe;" and 2) the Clerk of Court shall issue an amended summons to De La Rosa.

Dated: New York, New York
May 8, 2008

SO ORDERED:



KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

Copies mailed to:

Antoine Gumbs
Michael A. Cardozo, Esq.
Pro Se Clerk, S.D.N.Y.